

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re: : Case No.: 23-21984-GLT
: Chapter: 13
David L. Mattis :
C. Michelle Mattis :
: Date: 7/2/2025
Debtor(s). : Time: 11:00

PROCEEDING MEMO

MATTER: # 93 Certification of Counsel Regarding CONFIRMED PLAN ON FINAL BASIS / AMENDED CHAPTER 13 PLAN DATED MAY 7, 2025

APPEARANCES:

Debtor: Daniel R. White
Trustee: Kate DeSimone

NOTES:

Court: It appears the proposed order would increase the plan payment to cure postpetition plan arrears, but it also comes at the expense of general unsecured creditors, whose distribution is reduced from \$5,000 to \$1,500. It seems the payment is going up by \$37, but it would be an increase of \$124 if general unsecureds were preserved at the prior level.

DeSimone: I don't have any information on the reduction to GUC.

White: The debtors fell behind on payments due to lingering vehicle maintenance issues. In addition, the debtors have an adult disabled daughter that requires ongoing treatment and keeping a visiting nurse to assist her. Part of the plan was a reduction to GUC. The distribution projected to GUC was small to begin with, and this was a way to keep the plan payment realistic. I am getting concerned that keeping the GUC payment the same is beyond their means.

Court: Has there been any change in the debtor's disposable income?

White: It was initially \$2,800, but the plan has jumped up, and the debtors have cut back on expenses, but adding an additional \$100 or more would make it difficult. Both debtors are employed with schools and have 9-month income as opposed to year-round income. In addition, they have social security and pension income. They had out of the ordinary vehicle expenses, and the hope is those things resolved themselves so they can get back on track.

Court: Were there any plan payments in June?

White: The vehicle was back in the shop and they had to spend decent money to get it back on the road. I don't see any plan payments for June

DeSimone: The last plan payment we are showing was from TFS in the amount of \$900 on May 12.

[Mr. White's Zoom connection was subsequently lost]

OUTCOME:

1. The hearing on the proposed order confirming the Debtors' chapter 13 plan dated May 7, 2025 is continued to July 30, 2025 at 11 am [Text Order]
2. In light of the Debtors' failure to make any plan payments since May 2025 and the current plan arrears stand at \$10,497, the Court requires the Debtors to show cause why their case should not be dismissed without prejudice. [DB to issue. Hearing to occur on 7/30/2025 at 11 am]

DATED: 7/2/2025